

COUNCIL MINUTES
TIGARD CITY COUNCIL MEETING
April 27, 2004

Mayor Dirksen called the meeting to order at 6:30 p.m.

Council Present: Mayor Dirksen; Councilors Moore, Sherwood, Wilson, and Woodruff

• STUDY SESSION

- > CONDUCT CITY MANAGER'S PERFORMANCE REVIEW (Conducted during the Executive Session – See Item No. 13 below).

- > UPDATE ON THE NEW LIBRARY

Library Director Barnes and Project Manager Bahlman updated Council on the budget and construction schedule of the new library. Construction remains under budget and on time. Council was advised that because of budget savings, other enhancements have been possible including some sheetrock replaced with wood, upgrades to the audio/visual system, better interior signage, and improvements to the bathroom. The required wetland plantings are occurring now, interior painting is almost complete, hard floor surfaces are installed, and the carpeting is on site and will be installed soon. Next month the bookshelves will be installed.

Library Director Barnes advised she would have a better idea of the opening schedule in about two weeks. When the City is given possession of the property by the contractor, the Network Services staff will need to install computers and telephones.

Council members agreed with the suggestion to wait for awhile before deciding where to place the donor board. There will be special rooms or locations to recognize major donors (Houghten, Puett, Root, Friends of the Library, and the Library Foundation).

There was discussion about sponsoring library-opening mini events during the first year, including creating a time capsule which could be placed somewhere in the courtyard.

It is anticipated the coffee vendor selection will be done by next week.

- > ADMINISTRATIVE ITEMS

- a. Changes for the Agenda include:

- Added an Executive Session (see below – anticipated to convene when Business meeting concludes)

- b. Discussion – Downtown Task Force Meeting – April 29, 7:30 p.m., Chamber Building Conference Room. An agenda for this meeting was distributed to City Council. Staff reported some progress has been made with the Oregon Department of Transportation to move forward with the implementation of the TGM grant process.
- c. Mayor's Prayer Breakfast – Wednesday, May 5, 7 – 9:15 a.m. – Greenwood Inn. Mayor Dirksen will not attend. Councilors Wilson and Woodruff are signed up and will attend; however, both indicated they would reimburse the City for their ticket. (City Recorder's note: The Mayor's Prayer Breakfast was later canceled by organizers.)
- d. Political Signs – Update by Community Development Staff – Staff noted people are complaining: some complaints from candidates who are having illegal signs removed and some complaints from others about illegal signs proliferating. After discussion, Council consensus was to continue to have Community Development staff seize signs that are illegal as staff time allows and that other City staff will not be used at this time to pick up signs.
- e. Town Hall reconfiguration – City Manager noted that Paul Boundy will be present at tonight's Council meeting to observe the logistics of the Town Hall for Council meetings. Reconfiguration of the Town Hall will be one of the items reviewed when the new Library building opens and existing building functions are addressed.
- f. Planning Commissioner Resigns – Eileen Webb has submitted a letter of resignation, which was distributed to the Council.
- g. Plaque Honoring James and David Nicoli – Council received an April 27, 2004, memo from Parks Manager Plaza advising of the wording that will be stated on the sign for the Nicoli Athletic Fields.
- h. Calendar Review
 - April 29 – Joint Meeting with Downtown Task Force – 7:30 p.m., Tigard Chamber Office Conference Room, 12345 SW Main Street, Tigard, Oregon
 - April 30 -- Shining Stars Banquet Inn; No host bar @ 6 p.m.; Dinner at 7:30 p.m.; Cost \$35 each – All Council members have signed up for 2 tickets each. Please give payment to City Recorder Wheatley or send/deliver payment to the Chamber.
 - May 3– Budget Committee Meeting – 6:30 p.m. (Water Auditorium)
 - May 5 – Mayor's Prayer Breakfast – Greenwood Inn – 7-9:15 a.m.
 - May 5 – Bridgeport Village Groundbreaking Celebration – 11:30 a.m. – 1 p.m. – At the tents in the Village Inn parking lot, 7260 SW Bridgeport Road
 - May 10 -- Budget Committee Meeting – 6:30 p.m. (Water Auditorium)
 - May 11 – Council Business Meeting – 6:30 p.m.

- May 17 – Budget Committee Meeting – 6:30 p.m. (Water Auditorium)
- May 18 – Council Workshop Meeting – 6:30 pm.
- May 24 – Budget Committee Meeting – 6:30 p.m. (Water Auditorium)
- May 26 – Council Business Meeting – 6:30 p.m.
- June 5 – Bonita Park Grand Opening, 11 a.m.

- i. City Manager Monahan reported on his training last week at the National Emergency Training Center for emergency preparedness. The goal is to bring Tigard forward so that the City is prepared to handle emergency situations. Mr. Monahan noted that TVF&R and the County are well prepared to respond to large-scale emergencies.

1. BUSINESS MEETING

- 1.1 Mayor Dirksen called the City Council & Local Contract Review Board to order at 7:30 p.m.
- 1.2 Roll Call: Mayor Dirksen; Councilors Moore, Sherwood, Wilson, and Woodruff were present.
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports – None
- 1.5 Call to Council and Staff for Non-Agenda Items – None

2. PROCLAMATIONS

- Mayor Dirksen issued the following proclamations:
- 2.1 Proclaim May 2004 as the Month of Mental Health Awareness and designate the week of May 2 to May 8, 2004 as Mental Health Counseling Week
- 2.2 Proclaim the week of May 2 to May 8, 2004 as Be Kind to Animals Week

3. VISITOR'S AGENDA

- Gretchen Buehner relayed her experience last weekend where a child was hurt when he crashed his bicycle into an a-frame real estate sign placed in the right of way. She said a letter needs to be forwarded to the “real estate lobby” so they can better educate their realtors about sign regulations in Tigard. Ms. Buehner noted that last weekend there were 23 signs on the Alberta Rider School property alone.
- Holly Shumway and Ken Henschel, Chairperson and Vice Chairperson of CPO 4B read an April 16, 2004, letter to the Tigard City Council into the record. A copy of this letter is on file with the City Recorder. The letter officially requests the Council “...to delay the scheduled July annexation vote for nine months.” Ms. Shumway and Mr. Henschel advised that they had not received a response from the City to this letter. City Recorder Wheatley provided copies of the April 21,

2004 response letter, signed by Mayor Dirksen, which had been mailed to CPO 4B; a copy of this letter is on file with the City Recorder.

After some discussion about the contents of the letter and the requests from Ms. Shumway and Mr. Henschel, the City Council members and City Manager Monahan explained the City of Tigard was waiting for a response from King City with regard to their position on potential annexation of the Bull Mountain area. Mayor Dirksen's April 21 letter to CPO 4B referred to the Bull Mountain Annexation Plan subcommittee process and that the Council would like to see the white papers completed before any consideration of delay.

- Mr. Tom Bush addressed the Council on his hope that "surprise logging" would be stopped and referred to the recent logging of the Stanley property located on Bull Mountain. He also referred to some property that was planned to be developed soon and requested that the access road location be reevaluated. City Manager Monahan suggested that Mr. Bush speak with the Community Development Director (who was present at this meeting) about this situation. The logging on the Stanley property, which was owned and then sold to a developer by the Trust for Public Lands was reviewed. There had been attempts to package this property with other parcels for parks or open space. These efforts included the City's support for application to the State for funding, which was unsuccessful.
- Mr. John Frewing requested that the City make an effort to consistently name small streams and noted his difficulty in determining the name of Ash Creek, which is also known as East Fork and South Fork. Mr. Frewing also requested that when the parks and recreation survey questions are developed that open space and developed parks are differentiated. There was brief Council discussion and clarification from Parks Manager Plaza wherein it was noted that the questions will be presented so that this differentiation is made.

4. **CONSENT AGENDA:** Motion by Councilor Sherwood, seconded by Councilor Woodruff, to approve the Consent Agenda as follows:

4.1 Approve Council Minutes for March 23, 2004

4.2 Local Contract Review Board:

- a. Award Contract for Sanitary Sewer Repair at the NE Corner of Greenburg Road and Oak Street to MJD Development, Inc.
- b. Request Authorization for Staff to Negotiate and Finalize Contracts for the Commissioning of Art for the New Tigard Public Library

4.3 Receive and File: First Quarter Update on 2004 Council Goals

The motion was approved by a unanimous vote of Council present:

Mayor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes
Councilor Woodruff	-	Yes

5. NEW LIBRARY UPDATE

Library Director Barnes presented the staff report on this item informing the Council and public on the progress of library construction the past six weeks. Efforts to raise needed funds were reviewed. Construction remains under budget and ahead of schedule.

6. CONSIDER RETAINING PUBLIC AFFAIRS COUNSEL TO PREPARE, CONDUCT AND PRESENT FINDINGS OF A COMMUNITY WIDE PARK AND RECREATION ASSESSMENT SURVEY

Parks Manager Plaza presented the staff report and requested that the City Manager be authorized to retain Public Affairs Counsel to prepare and conduct a survey and present findings of the community-wide park and recreation survey.

Mr. Plaza reviewed the proposals received and advised that the Public Affairs Counsel submitted the lowest bid at \$8,787 to prepare and conduct the survey. The Parks and Recreation Advisory Board will review the survey questions at one of its meetings. With reference to Mr. John Frewing's concerns (see Visitor's Agenda), Mr. Plaza advised that open spaces, parks, and the skate park will be distinctly separate questions on the survey. Mr. Plaza anticipates a final draft of the questions will be ready within the next three weeks and that the survey findings will be presented to the Council in mid-June.

Motion by Councilor Woodruff, seconded by Councilor Sherwood, to authorize the expenditure to retain the Public Affairs Counsel as requested by staff.

The motion was approved by a unanimous vote of Council present:

Mayor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes
Councilor Woodruff	-	Yes

7. CONSIDER A RESOLUTION INITIATING ACTION TO TRANSFER JURISDICTION OF A PORTION OF SW BARROWS ROAD TO THE CITY OF TIGARD

Engineering Manager Rager presented the staff report on this item. As a part of the Progress Quarry development, under the permitting review of the City of Beaverton, SW Barrows Road will be realigned through the Quarry site. Barrows Road is currently under Washington County jurisdiction and there is a small portion of the road that falls inside Tigard city limits. When realigned, the roadway will be located within the City of Beaverton. The proposed resolution would initiate action to transfer the jurisdiction of the road from Washington County to Tigard. Then, once the jurisdiction transfer takes place, Tigard and Beaverton would form an intergovernmental agreement to clarify that the City of Beaverton would take over the permitting and maintenance responsibility for the small portion of roadway in the Tigard city limits.

Motion by Councilor Moore, seconded by Councilor Wilson, to adopt Resolution No. 04-25.

RESOLUTION NO. 04-25 – A RESOLUTION INITIATING ACTION TO TRANSFER JURISDICTION OF CERTAIN COUNTY ROADS TO THE CITY OF TIGARD

The motion was approved by a unanimous vote of Council present:

Mayor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes
Councilor Woodruff	-	Yes

8. CONSIDER THREE LEASE AGREEMENTS WITH THE JOINT WATER COMMISSION

Engineering Manager Rager reviewed the proposed lease agreements between Tigard and the Joint Water Commission. For the first time, Tigard will take part in a summer leasing program with the Joint Water Commission (JWC) as an official partner. The leases cover the summer months from about May 1 to October 31 for stored raw water, water treatment capacity, and transmission line capacity.

Motion by Councilor Wilson, seconded by Councilor Sherwood, to enter into the proposed lease agreements with the JWC and authorize the City Manager to execute.

The motion was approved by a unanimous vote of Council present:

Mayor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes
Councilor Woodruff	-	Yes

9. **CONSIDER A RESOLUTION GRANTING AN EXEMPTION FROM PROPERTY TAXES FOR THREE COMMUNITY PARTNERS FOR AFFORDABLE HOUSING (CPAH) NON-PROFIT, LOW INCOME HOUSING PROJECTS**

Finance Director Prosser presented the staff report. Martin Soloway representing Community Partners for affordable housing was also present. Tigard Municipal Code 3.50 allows certain organizations providing low income housing to be exempted from Tigard property taxation upon application by March 1 of each year and a demonstration of compliance with certain criteria listed in the Code. The proposed resolution gives consent from the City of Tigard for this tax abatement. CPAH must receive similar approval from jurisdictions amounting to 51% (or more) of the total property taxes to be levied on these properties. The proposed resolution also waives the March 1 deadline (an oversight by CPAH) for application; the application for exemption to the 2004 property taxes was received on April 1, 2004.

Council discussed this matter briefly. Councilors Sherwood and Woodruff noted the importance of continued assistance to affordable housing efforts in the community. Mr. Soloway responded with information about rents; noting that the housing market is depressed right now, so rents for the two-bedroom have been reduced slightly.

Motion by Councilor Wilson, seconded by Councilor Sherwood, to adopt Resolution No. 04-26.

RESOLUTION NO. 04-26 – A RESOLUTION GRANTING EXEMPTION FROM PROPERTY TAXES UNDER TIGARD MUNICIPAL CODE SECTION 3.50 FOR THREE NON-PROFIT LOW INCOME HOUSING PROJECTS OWNED AND OPERATED BY COMMUNITY PARTNERS FOR AFFORDABLE HOUSING

The motion was approved by a unanimous vote of Council present:

Mayor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes
Councilor Woodruff	-	Yes

10. UPDATE ON THE REVISED ANALYSIS OF BULL MOUNTAIN ANNEXATION PROPERTY TAX FEE IMPACT ON PROPERTY OWNERS

Finance Director Prosser presented the staff report on this agenda item. Mr. Prosser reviewed charts showing an updated analysis of estimated impact to Bull Mountain property owners, if annexed, with the street maintenance fee included. The street maintenance fee for residential properties is \$2.18 per month. A copy of the charts presented by Mr. Prosser is on file with the City Recorder.

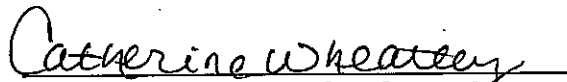
11. COUNCIL LIAISON REPORTS -- None

12. NON AGENDA ITEMS -- None


Business meeting recessed at 8:35 p.m.

13. EXECUTIVE SESSION: The Tigard City Council went into Executive Session at 8:46 p.m. as provided by ORS 192.660 (1)(i) to discuss the evaluation of the City Manager under previously established criteria.

14. ADJOURNMENT: 10:10 p.m.


Catherine Wheatley, City Recorder

Attest:


Mayor, City of Tigard

Date: 5.11.04

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